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Attorney General Jon Bruning

# NEWS RELEASE

FOR IMMEDIATE RELEASE  
November 21, 2007 3:15 p.m. CST

Contact: Holley Bolen  
402.471.3888

## Bruning Announces ConAgra Settlement

(Lincoln, NE) Attorney General Jon Bruning today announced that a settlement has been reached in the matter of Nebraska Department of Environmental Quality (NDEQ) vs. ConAgra Fertilizer.

ConAgra will pay a civil penalty of \$40,000 to the Nebraska Common Schools Fund, half of which will be waived if the company maintains compliance with Consent Decree and all applicable environmental laws for a period of 180 days. ConAgra has also agreed to pay \$40,000 into the Attorney General's Environmental Protection Fund as a voluntary supplemental environmental project.

"Nebraska's environment must be protected," Attorney General Jon Bruning said, "We appreciate ConAgra's quick response in cleaning up the spill."

The settlement stems from an accidental spill of 3,800 gallons of liquid nitrogen fertilizer from a railcar at ConAgra's Hastings, Neb. plant in January of 2006. ConAgra responded immediately to the spill, provided notification to both the NDEQ and EPA, and worked quickly to contain the spill and minimize environmental impact.

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*An audio clip about the settlement is posted on the Attorney General's Web site at [www.ago.ne.gov](http://www.ago.ne.gov).*





# Attorney General Jon Bruning

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# NEWS RELEASE

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FOR IMMEDIATE RELEASE  
November 19, 2007, 3:45 pm CST

Contact: Holley Bolen  
402.471.3888

## **Bruning Announces Sentence for Drunk Driver**

(Lincoln, Neb.) Attorney General Jon Bruning today announced that Joshua Westover of Pawnee City, Neb. has been sentenced to five to ten years in prison for causing the death of his friend, Aaron Rabstejnek. In September, Westover, 27, pleaded guilty to one count of manslaughter, a Class III felony, before Pawnee County District Court Judge Daniel Bryan.

“This case is a tragic reminder of what can occur when someone makes the decision to drink too much and get behind the wheel of an automobile,” Bruning said. “While nothing can make up for Mr. Westover’s fateful decision, I hope this sentence can somehow help the Rabstejnek family begin their healing process.”

The case against Westover stemmed from an accident that occurred during the early morning hours of August 12, 2006 near Table Rock, Neb. Westover was driving with his friend, Rabstejnek, 27, who occupied the vehicle’s front passenger seat. As Westover came upon the intersection of Highway 4 and 624<sup>th</sup> Avenue he ignored a posted stop sign and collided with a vehicle driven by Milan Tomek of Table Rock. As a result of the collision, Rabstejnek, was ejected from the vehicle and fatally injured. Tomek, 71, was also seriously hurt in the collision but survived his injuries. Following treatment for only minor injuries, Westover underwent sobriety testing that later revealed that his b.a.c., .214, was more than double the legal .08 threshold at the time of the accident.

The case was handled by Assistant Attorney General Corey O’Brien.

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# Attorney General Jon Bruning

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# NEWS RELEASE

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FOR IMMEDIATE RELEASE  
November 19, 2007, 5:00 pm CST

Contact: Holley Bolen  
402.471.3888

## **Bruning Announces Hendrix Sentence**

(Lincoln, Neb.) Attorney General Jon Bruning today announced that Brett Hendrix of Omaha, Neb. has been sentenced for felony Criminal Mischief for firing shots at an OPPD substation in January of this year. As part of the sentence, Hendrix was ordered to attend the Work Ethic Camp in McCook, which is approximately a six month program and will serve three years of Intensive Supervised Probation. After completing the work ethic camp, Hendrix will serve 90 days wearing an electronic monitoring device and wear a SCRAM device which detects alcohol in the body's system in real time. In addition, he is required to pay half of \$85,288 in restitution.

"The dangerous situation brought on by these two men will not soon be forgotten," said Bruning. "This sentence helps insure they are held accountable for their careless acts."

Hendrix, 26, pleaded guilty to felony Criminal Mischief, which is a class IV felony, punishable by up to five years in prison and a fine up to \$10,000.

Hendrix and Tim Heine, who received the same sentence earlier this year, were both employees of the Omaha Public Power District when they fired shots with rifles into a substation owned by OPPD in Johnson County. Hundreds of consumers lost power for several hours.

The case was handled by Assistant Attorney General Doug Warner.

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Attorney General Jon Bruning

# MEDIA ADVISORY

FOR IMMEDIATE RELEASE  
November 16, 2007 2:30 pm CST

Contact: Holley Bolen  
402.471.3888

## \*\*\*MEDIA ADVISORY\*\*\*

**Bruning to speak at the 2007 Annual  
Convention of Nebraska Water Resources  
Associations and Nebraska  
State Irrigation Associations at  
12:15 p.m., at the Holiday Inn Convention  
Center, 110 2<sup>nd</sup> Ave., in Kearney  
Monday, Nov. 19**

(Lincoln, Neb.) Attorney General Jon Bruning will speak at the 2007 Annual Convention of Nebraska Water Resources Associations and Nebraska State Irrigation Associations at 12:15 p.m., Monday, Nov. 19 at the Holiday Inn Convention Center, 110 2<sup>nd</sup> Ave., in Kearney, Neb.

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Attorney General Jon Bruning

# NEWS RELEASE

FOR IMMEDIATE RELEASE  
November 15, 2007, 3:00 pm CST

Contact: Holley Bolen  
402.471.3888

## **Bruning Announces Former Franklin Police Officer Sentenced for Sexual Abuse of Inmate**

(Lincoln, NE) Attorney General Jon Bruning announced today that former Franklin Police Officer Matthew Bower has been sentenced to one year in Franklin County Jail for one count of felony Sexual Abuse of an Inmate and six months for one count of misdemeanor Official Misconduct, to be served concurrently.

“Mr. Bower’s crimes violated the public trust and undermined the values that those in law enforcement are sworn to uphold,” Bruning said. “Now he’ll have to pay for his crimes.”

Bower, 25, pleaded no contest to the two charges in September following an investigation by the Nebraska State Patrol. According to the investigation, Bower had removed a female inmate from the Franklin County Jail on at least seventeen occasions between March 31 and July 3, 2006. During some of those encounters, Bower engaged in sexual activities with the inmate.

Bower had been employed with the Franklin Police Department since November 2003.

The case was handled by Assistant Attorney General Corey O’Brien.

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*An audio clip about the sentencing is posted on the Attorney General’s Web site at [www.ago.ne.gov](http://www.ago.ne.gov).*



Attorney General Jon Bruning

# NEWS RELEASE

FOR IMMEDIATE RELEASE  
November 15, 2007, 2:00 pm CST

Contact: Holley Bolen  
402.471.3888

## Bruning Announces Plea in Medicaid Fraud Case

(Lincoln, NE) Attorney General Jon Bruning announced Richard VonSpreckelsen of Harvard, NE entered a plea of no contest to one felony charge of theft by unlawful taking in Clay County District Court yesterday.

“Mr. VonSpreckelsen had a moral and legal responsibility to protect his mother’s interests,” Bruning said. “He exploited that responsibility and now will face the consequences.”

VonSpreckelsen was accused of stealing nearly \$20,000 of his mother’s money while he was acting as her power of attorney. He would use funds from his mother’s social security checks for his own living expenses instead of paying for his mother’s care. VonSpreckelsen was unemployed and living in his mother’s house while she resided in Harvard Rest Haven nursing home.

Theft by unlawful taking is a class IV felony, punishable by up to 5 years in prison, a \$10,000 fine, or both. A sentencing hearing has been scheduled for January 9, 2008 at 10:15 a.m. in Clay County District Court.

The case was investigated by the Attorney General’s Medicaid Fraud Control Unit and handled by Assistant Attorney General Mark Collins.

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*An audio clip about the plea is posted on the Attorney General’s web site at [www.ago.ne.gov](http://www.ago.ne.gov)*





Attorney General Jon Bruning

# NEWS RELEASE

FOR IMMEDIATE RELEASE  
November 13, 2007 3:00pm CST

Contact: Perre Neilan  
402.471.2629

## **Nebraska City Man Pleads No Contest To Sexual Assault of Step-daughter**

(Lincoln, NE) Attorney General Jon Bruning today announced that Daniel Lowe, 39, of Nebraska City, entered a plea of no contest to two counts of attempted first degree sexual assault involving his step-daughter.

An investigation found Lowe sexually assaulted the girl in the home they shared. The assaults occurred on or before November 2003 and November 2006. The victim is now 14 years old.

“Mr. Lowe preyed on a vulnerable child and now will have to pay for his crimes,” Bruning said.

Attempted first degree sexual assault of a child is a class III felony, punishable by one to 20 years in prison for each count.

The sentencing hearing has been scheduled for Dec. 28 at 9:30 a.m. in Otoe County District Court. Assistant Attorney General Randy Stoll and County Attorney Dave Partsch handled the case.

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November 9, 2007

## Fake Checks Don't Pay

We've all received e-mails or letters promising something that looks too good to be true. Maybe you've been notified that you won a foreign lottery or a Nigerian businessman is seeking your help to deposit money into a U.S. bank account. In both cases, you are promised a large sum of money. All you have to do is deposit a check into your account and send a portion of the money back to pay for taxes or fees.

These types of offers are fake check scams. Thieves hope you will deposit the fake check into your account and send them money before you discover the check doesn't clear.

In 2006, Nebraskans who fell victim to fake check scams lost an average of \$1,400 each. My office received over 600 complaints from Nebraskans about fraudulent checks, and the Federal Trade Commission received even more.

As much as we try to warn consumers about fake check scams, thieves are finding new ways to trick consumers out of their hard-earned money. They increasingly use the anonymity of the Internet to victimize Nebraskans. Here are a few examples of the tactics scammers are using:

- 1) **Internet Auction Schemes** - Scammers overpay you for an item you sold on an Internet auction and ask you to send the extra amount back or to their "shipper."
- 2) **Work-at-Home Schemes** - Scammers hire you to process checks for a charity or other organization through your bank account. You are to deposit the money and send the cash to your employer.
- 3) **Roommate/Rental Schemes** - Scammers pose as a prospective roommate or renter and overpay you for a deposit. You are asked to send money back or send a portion to the renter's "moving company."
- 4) **Internet Relationship Schemes** - Scammers lure you into a romantic relationship and overpay you for their portion of travel expenses when you decide to meet. You're asked to send money back or to another party.

To fight this crime, we partnered with the United States Postal Service and the Alliance for Consumer Fraud Awareness to launch a Web site called [www.fakechecks.org](http://www.fakechecks.org). The Web site helps consumers learn more about the latest tactics thieves use in fake check scams.

To avoid becoming a victim of a fake check scam, here are a few guidelines:



- If it seems too good to be true, it probably is.
- Always be skeptical when you are paid more than the amount you agreed on or are asked to send money back to an agency after depositing a check.
- Don't trust requests to wire cash to someone in a foreign country.
- Take your time in agreements with strangers. Refuse deals that involve high pressure tactics or stories that tug at your heart strings.
- Remember, you can't win a contest or lottery you did not enter.
- Research the business or charity contacting you, and call to make sure that organization is involved in the contest or offer.

To report suspected check fraud you can contact the U.S. Postal Service at 1-800-372-8347 or contact the Attorney General's Office by calling our Consumer Protection hotline at 1-800-727-6432 or emailing us from our Web site at [www.ago.ne.gov](http://www.ago.ne.gov).

Best wishes,



Jon Bruning  
Attorney General of Nebraska

**For more information, contact:**  
Consumer Protection Division  
Nebraska Attorney General's Office  
Toll Free: 1.800.727.6432  
Email: [nedoj@ago.ne.gov](mailto:nedoj@ago.ne.gov)

**En Espanol:**  
1.888.850.7555  
Llamada gratuita en Nebraska  
**Senior Outreach Hotline:**  
1.888.287.0778  
Web site: [www.ago.ne.gov](http://www.ago.ne.gov)

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